

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

1. CHRIS HOLLAND, an individual,

Plaintiff,

V.

**1. RWD OF TULSA, INC., d/b/a
MAACO PAINT & BODY
a foreign for profit corporation,**

Defendant.

Case No.: 15-CV-38-TCK-TLW

NOTICE OF DISMISSAL

COMES NOW the Plaintiff, Chris Holland (“Plaintiff”), by and through his attorney of record, Charles C. Vaught of *Armstrong & Vaught, P.L.C.*, and hereby submits the following *Status Report* in the above captioned matter. In support thereof, Plaintiff would state as follows:

1. On January 22, 2015, Plaintiff filed his Complaint against Defendant for violations of the Americans with Disabilities Act. [ECF No. 2]
2. On December 2, 2015, a Suggestion of Bankruptcy was filed by Defendant. [ECF No. 20]
3. On December 5, 2015, an Order was entered staying this litigation due to Defendant's bankruptcy filing. In this Order, the parties were instructed to provide a status report to the court not later than December 7, 2016. [ECF No. 21].
4. On December 29, 2016, this Court continued its Order staying this proceeding as the bankruptcy remained active at that time. [ECF No. 23]. Plaintiff was, however, ordered to submit a second status report or notice of dismissal no later than August 18, 2017. [*Id.*].
5. As no orders related to the bankruptcy of Defendant had been received, counsel for Plaintiff undertook a review of the docket related to Defendant's bankruptcy proceeding to determine the status of that bankruptcy so as to prepare the instant notice to the Court.

6. On March 27, 2017, the Chapter 7 Trustee submitted his Report of No Distribution in the bankruptcy matter. **[Ex. A, Dkt. No. 16]**. According to this report, there were no assets available for distribution in the bankruptcy estate and all claims were discharged without payment. **[Id.]**. This report was not served on counsel for the debtor/Plaintiff, Chris Holland.
7. On May 1, 2017, the Hon. Terrence L. Michael entered his Final Decree in the bankruptcy matter which indicated that the estate of the debtor, RWD of Tulsa, Inc., the Defendant herein, has been fully administered and a discharge was issued. **[Ex. A, Dkt. No. 17]**. The Final Decree was not served on counsel for the debtor/Plaintiff, Chris Holland.
8. Therefore, Plaintiff requests this action be dismissed as his claims against Defendant have been discharged through the bankruptcy estate of Defendant.

WHEREFORE, premises considered, Plaintiff respectfully requests that the Court dismiss this matter and to grant such further relief as the Court deems just and equitable.

Respectfully submitted,

ARMSTRONG & VAUGHT, P.L.C.

/s/ Charles C. Vaught

Charles C. Vaught, OBA #19962

2727 East 21st Street, Suite 505

Tulsa, OK 74114

(918) 582-2500 *Telephone*

(918) 583-1755 *Facsimile*

Attorney for Plaintiff

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was furnished by regular U.S. Mail, postage prepaid, this 18th day of August, 2016, to:

Kem Dawson, Owner
RWD of TULSA, INC.,
d/b/a MAACO PAINT & BODY
1403 Buena Vista Cir.
Springdale, AR 72762
Pro Se

/s/ Charles C. Vaught
Charles C. Vaught